

# UNITED STATES DISTRICT COURT

for the

District of South Carolina

Robert Tolbert,

*Petitioner*

v.

Warden of FCI Estill,

*Respondent*

Civil Action No. 1:19-02135-BHH

## JUDGMENT IN A CIVIL ACTION

The court has ordered that (*check one*):

☐ the petitioner (*name*) \_\_\_\_\_ recover from the respondent (*name*) \_\_\_\_\_ the amount of \_\_\_\_\_ dollars (\$\_\_\_), which includes prejudgment interest at the rate of \_\_\_ %, plus postjudgment interest at the rate of \_\_\_ %, along with costs.

☐ the petitioner recover nothing, the action be dismissed on the merits, and the respondent (*name*) \_\_\_\_\_ recover costs from the petitioner (*name*) \_\_\_\_\_.

☒ the petitioner, Robert Tolbert, shall take nothing of the respondent, Warden of FCI Estill, and this action is dismissed without prejudice.

This action was (*check one*):

☐ tried by a jury, the Honorable \_\_\_\_\_ presiding, and the jury has rendered a verdict.

☐ tried by the Honorable \_\_\_\_\_ presiding, without a jury and the above decision was reached.

☒ decided by the Honorable Bruce Howe Hendricks, United States District Judge, presiding, adopting the Report and Recommendation of the Honorable Shiva V. Hodges, United States Magistrate Judge, which recommended dismissing the action.

Date: October 9, 2019

ROBIN L. BLUME, CLERK OF COURT

s/L. Baker

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*